

Director: Colonel Dennis Garrett

JLBC Analyst: Tony Vidale

	FY 2002 Actual	FY 2003 Estimate	FY 2004 Approved
<b>OPERATING BUDGET</b>			
Full Time Equivalent Positions	1,840.8	1,858.0	1,858.0 <sup>1/</sup>
Personal Services	75,148,800	82,611,200	82,314,100
Employee Related Expenditures	20,069,000	19,730,200	26,261,000
Professional and Outside Services	834,900	776,000	751,900
Travel - In State	430,000	656,300	580,600
Travel - Out of State	209,200	81,400	80,500
Other Operating Expenditures	20,829,800	21,876,400	20,702,700
Equipment	9,534,800	10,076,400	11,032,300
<b>OPERATING SUBTOTAL</b>	<b>127,056,500</b>	<b>135,807,900</b>	<b>141,723,100</b>
<b>SPECIAL LINE ITEMS</b>			
Fingerprint Board	159,700	362,300	341,300
GITEM	5,783,200	4,244,100	4,271,700 <sup>2/</sup>
<b>AGENCY TOTAL</b>	<b>132,999,400</b>	<b>140,414,300</b>	<b>146,336,100<sup>3/4/5/</sup></b>

**FUND SOURCES**

General Fund	48,911,500	32,291,900	29,535,600
<u>Other Appropriated Funds</u>			
Arizona Deoxyribonucleic Acid (DNA) Identification Fund	419,200	2,429,100	2,525,100
Arizona Highway Patrol Fund	13,262,000	13,454,000	16,429,900
Automated Fingerprint Identification Fund	1,848,800	2,121,500	2,194,900
Board of Fingerprinting Fund	61,900	263,700	0
County Transportation Contribution Fund	0	0	8,206,800
Crime Laboratory Assessment Fund	3,640,600	3,732,300	4,424,700
Criminal Justice Enhancement Fund	2,133,200	2,197,000	2,297,200
Fingerprint Clearance Card Fund	35,900	33,300	268,700
Highway User Revenue Fund	36,422,100	54,416,200	48,698,000
Motorcycle Safety Fund	0	80,000	80,000
Safety Enforcement and Transportation Infrastructure Fund	1,014,600	1,128,700	1,192,800
Sex Offender Monitoring Fund	0	0	331,000
State Highway Fund	25,249,600	28,266,600	30,151,400
SUBTOTAL - Other Appropriated Funds	84,087,900	108,122,400	116,800,500
<b>AGENCY TOTAL</b>	<b>132,999,400</b>	<b>140,414,300</b>	<b>146,336,100<sup>6/</sup></b>

**AGENCY DESCRIPTION** — *The Department of Public Safety (DPS) is responsible for the enforcement of state criminal laws and traffic regulations. In addition to the Highway Patrol, DPS operates and maintains statewide communications systems, state crime laboratories and an automated fingerprint identification network, and performs aviation missions, special investigations, and other law enforcement activities.*

<sup>1/</sup> Includes 71 FTE Positions funded from Special Line Items in FY 2004.

<sup>2/</sup> It is the intent of the Legislature that monies appropriated to the GITEM Special Line Item shall not be allocated by the Department of Public Safety to any county with a population greater than 750,000 or to any city or town located within a county with a population greater than 750,000. (General Appropriation Act footnote)

<sup>3/</sup> The Department of Public Safety shall monitor the performance of the Federal Bureau of Investigation's National Instant Criminal Background Check System (NICS) in FY 2004 and FY 2005 and submit a report to the Joint Legislative Budget Committee by February 1, 2004 and 2005 regarding the results of performance monitoring. Performance monitoring shall include, but is not limited to, the average response time, rejection rates, the number of default proceeds, the number of guns sold to disqualified individuals and NICS availability. (General Appropriation Act footnote)

<sup>4/</sup> Includes \$2,000,000 appropriated by Laws 2002, Chapter 226 for DNA testing of all convicted felons.

<sup>5/</sup> General Appropriation Act funds are appropriated as an Operating Lump Sum with Special Line Items by Agency.

<sup>6/</sup> Any monies remaining in the Department of Public Safety joint account on June 30, 2004 shall revert to the funds from which they were appropriated. The reverted monies shall be returned in direct proportion to the amounts appropriated. (General Appropriation Act footnote)

<b>PERFORMANCE MEASURES</b>	<b>FY 2002 Appropriation</b>	<b>FY 2002 Actual</b>	<b>FY 2003 Appropriation</b>	<b>FY 2004 Appropriation</b>
• Fatal highway crashes	352	324	352	--
• % of total highway crashes related to alcohol	15	4.9	15	--
• % of scientific analysis cases over 30 calendar days old	3.0	10	1.0	2.5
• % of system reliability of the Arizona Automated Fingerprint Identification Network (AZAFIN)	98	98	98	98
• Clandestine labs dismantled	440	453	460	479
• % of agency staff turnover	5.0	4.0	5.0	5.0
• Administration as a % of total cost	13.9	16	13.9	20.5
• Customer satisfaction rating for citizens (Scale 1-8)	6.0	7.0	6.0	7.5

**Technical Adjustments** – The FY 2004 approved amount includes technical adjustments for Employee Related Expenditures, Risk Management charges, Other Fund health and dental insurance charges, Other Fund retirement charges, and Other Fund AFIS charges. *(Please see the General Provisions section at the end of this Appropriations Report for further details on these changes.)*

**Fund Shifts** — The approved amount includes a General Fund increase of \$10,000,000 and a corresponding Highway User Revenue Fund (HURF) decrease of \$(10,000,000) to reverse a one-time FY 2003 fund shift. Laws 2003, 1<sup>st</sup> Special Session, Chapter 1, shifted \$10,000,000 in FY 2003 to reduce General Fund expenditures for highway patrol related costs.

The approved amount includes a General Fund decrease of \$(982,200) below FY 2003 and a corresponding HURF increase of \$982,200 above FY 2003 to reduce General Fund expenditures for highway patrol related costs.

The approved amount includes a General Fund decrease of \$(1,000,000) and a corresponding Highway Patrol Fund increase of \$1,000,000 for a one-time fund shift. Revenues in the Highway Patrol Fund will increase as a result of a \$1,000,000 one-time transfer from the Arizona Department of Transportation's (ADOT) Transportation Department Equipment Fund in FY 2004.

The approved amount includes a General Fund decrease of \$(8,206,800) and a corresponding County Transportation Contribution Fund increase of \$8,206,800 for a one-time fund shift. The Public Finances Omnibus Reconciliation Bill (ORB) (Laws 2003, Chapter 263) established the fund to be used for state operations related to highway and law enforcement services.

**DNA Testing FTE Positions** — The approved amount includes an increase of 9 FTE Positions above FY 2003 for positions funded through Laws 2002, Chapter 226.

**Consolidate Liquor Enforcement** — The approved amount includes a General Fund decrease of \$(150,500) and (2) FTE Positions below FY 2003 to consolidate liquor enforcement functions in DPS with the Department of Liquor Licenses and Control (DLLC). The Public Finances ORB eliminated DPS' statutory provisions regarding liquor enforcement and transferred 2 vehicles from DPS to DLLC.

**Auto Theft Task Force** — The approved amount includes a General Fund decrease of \$(343,300) below FY 2003 for DPS officer participation on the statewide Automobile Theft Authority (ATA) Task Force. The department will fund the full cost of DPS officer participation on the Task Force using vacancy savings from the current grant allotment from the ATA.

**Firearm Background Checks** — The approved amount includes a General Fund decrease of \$(300,000) due to the transfer of firearm background checks to the Federal Bureau of Investigation (FBI). A.R.S. § 13-3114 established the firearm clearance center to conduct background checks to determine whether purchases, sales, or transfers for firearms to any person violate federal or state law prohibiting possession of firearms. Laws 2002, Chapter 328 originally transferred this responsibility from DPS to the FBI, however, the responsibility was shifted back to the state by Laws 2003, Chapter 2, 1<sup>st</sup> Regular Session. The Public Finances ORB transfers this responsibility from DPS to the FBI. In addition, the General Appropriation Act includes a footnote requiring the department to monitor the performance of FBI background checks.

**Sex Offender Monitoring Fee** — The approved amount includes a General Fund decrease of \$(323,100) below FY 2003 and a corresponding Sex Offender Monitoring Fund increase of \$323,100 above FY 2003 for monitoring costs of individuals registered as sex offenders. The Public Finances ORB established the appropriated Sex Offender Monitoring Fund and authorized the department to charge and collect a fee to cover the operational costs of monitoring registered sex offenders.

**Security Guard/Private Investigator Licensing** — The approved amount includes a General Fund decrease of \$(440,600) and (9) FTE Positions below FY 2003 for the Security Guard and Private Licensing Unit. Laws 2002, Chapter 276 created the non-appropriated DPS Licensing Fund and made the Security Guard and Private Investigator Licensing Unit a self-supporting operation. Previously, fees were deposited into the General Fund and the department received an appropriation to cover expenses.

**One-time Equipment** — The approved amount includes a General Fund decrease of \$(196,300) and Other Appropriated Fund decrease of \$(7,715,100) below FY 2003 for one-time equipment expenditures. The decrease in Other Appropriated Funds includes \$(53,800) from the Criminal Justice Enhancement Fund (CJEF), \$(7,188,100) from HURF, \$(119,000) from the State Highway Fund, and \$(354,200) from the Automated Fingerprint Identification Fund.

The approved amount also includes a General Fund increase of \$147,300 and Other Appropriated Fund increase of \$530,000 above FY 2003 for one-time equipment expenditures for replacement radios and infrastructure. The increase in Other Appropriated Funds includes \$53,800 from CJEF, \$357,200 from HURF, and \$119,000 from the State Highway Fund.

**Helicopter Replacement** — The approved amount includes a Highway Patrol Fund increase of \$764,900 above FY 2003 to begin a 3-year lease-purchase agreement to replace 1 helicopter. The helicopter to be replaced is 20 years old with over 11,900 flight hours.

**Aircraft Engine Overhaul** — The approved amount includes a Highway Patrol Fund increase of \$534,500 above FY 2003 for an aircraft engine overhaul for the department's 1988 twin-engine turboprop airplane. The required overhaul will be completed in January 2004 in accordance with Federal Aviation Administration regulations.

**Fingerprint Replacement Equipment** — The approved amount includes an Automated Fingerprint Identification Fund increase of \$420,000 above FY 2003 for replacement of fingerprint scanning equipment. The approved amount will allow for replacement of 6 Livescan machines used at jail in-processing facilities to scan fingerprints of arrestees into the Arizona Fingerprint Identification System (AZAFIS).

**Crime Lab Equipment** — The approved amount includes a Crime Laboratory Assessment Fund increase of \$566,900 above FY 2003 for crime lab replacement equipment. The equipment to be replaced includes gas chromatographs, specialized cameras, microscopes, forensic light sources, and digital imaging systems.

**Highway Patrol Vehicles** — The approved amount includes a HURF increase of \$6,780,000 above FY 2003 for replacement of highway patrol vehicles. The approved amount allows for replacement of 200 highway patrol vehicles and provides a vehicle with less than 100,000 miles to every sworn officer in the Highway Patrol Bureau.

**Mobile Data Computers** — The approved amount continues the HURF and State Highway Fund appropriation (\$597,000 from each fund) for the lease-purchase of mobile data computer equipment. The approved amount continues a 4-year lease-purchase (begun in FY 2003) to install mobile data computers in Highway Patrol field units.

### ***Special Line Items***

**Fingerprint Board** — This Special Line Item funds the process by which requests are reviewed for good cause exceptions for people denied clearance by DPS for a fingerprint clearance card or denied approval to work in a residential care facility, a nursing care institution, or a home health agency. This Special Line Item receives General Fund, Fingerprint Clearance Card Fund, and Board of Fingerprinting Fund monies. The approved amount is unchanged from FY 2003 except for technical adjustments. The line item includes 5 Fingerprint Clearance Card Fund FTE Positions.

The approved amount includes an increase of 2 FTE Positions above FY 2003 for positions funded through Laws 2002, 5<sup>th</sup> Special Session, Chapter 4. Monies for these positions were included in the base appropriation.

The approved amount includes a Board of Fingerprinting Fund decrease of \$(70,200) below FY 2003 to eliminate double-counting General Fund monies appropriated to the fund. General Fund monies are no longer deposited into the Board of Fingerprinting Fund and instead, are appropriated directly to the Board of Fingerprinting Special Line Item. This decrease is offset by a \$49,200 increase in technical adjustments mentioned above.

**GITEM** — This Special Line Item formulates and implements criminal gang enforcement and investigative strategies, interdicts gang members, and collects criminal gang information. GITEM is comprised of officers from DPS and local law enforcement agencies. DPS reimburses local law enforcement agencies for all Personal Services and Employee Related Expenditures (ERE) associated with the officer assigned from that agency to GITEM. DPS also covers equipment and training costs and reimburses local law enforcement officers for travel expenses. Local law enforcement agencies support GITEM by sharing resources such as clerical support and office space in outlying areas. This Special Line Item receives General Fund monies. The approved amount is unchanged from FY 2003 except for technical adjustments. The line item includes 66 General Fund FTE Positions.

**Additional Legislation:** Budget Reconciliation: Public Finances (Chapter 263) — Continues to redirect 9% of CJEF revenues to DPS to fund the operations of the department's crime lab in FY 2004. This redirection first occurred in FY 1998 and is continued through FY 2004. Prior to FY 1998, these monies were deposited into the General Fund.

Chapter 263 also suspends for FY 2004 the schedule established by A.R.S. § 28-6537 and A.R.S. § 28-6993 reducing the level of HURF and State Highway Fund monies available to fund DPS patrol costs. Suspending this schedule removes the spending cap in FY 2004. Without this change, HURF and State Highway Fund monies available to DPS would be \$10,000,000 per fund in FY 2004.

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